IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO. 4041 OF 2007

Santosh A Pawar & ors .... Petitioner

versus

Mahadev M. Sutar ..... Respondent.

Shri R.V.Vasekar i/b. S.S. Patwardhan for the petitioner.

CORAM; A.P. DESHPANDE, J.
DATED; 16TH JULY, 2007

P.C.;

1. The present petitioners are brought on record as legal representatives of the deceased defendant who is the petitioner's mother. In para 6 of the impugned order, the trial court has observed that the original written statement was filed at Exh.20 way back on 13-9-1992 by the mother of the present petitioners/ defendants 1 and 2. After attending majority, the petitioners sought many adjournments. But ultimately by filing pursis on 2-7-2005, chose to adopt the written statement filed by their mother. Thereafter the plaintiff's evidence is over and the plaintiff has closed his evidence after examining five witnesses. Thereafter belatedly present petitioners moved an application seeking to amend the written statement and the rejection of the said application has given raise

for filing of this writ petiiton.

2. Perused the impuned order. The same does not suffer from any illegality or impropriety warranting interference in exercise of writ jurisdiction. Hence writ petiiton is summarily dismissed.

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